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Ct. 19
30.08.2024

*In The High Court At Calcutta
Civil Revisional Jurisdiction*

C.O. No. 3091 of 2024

**Sri Sitaram Roy
Vs.
Sri Babu Manna & Ors.**

Mr. Rajib Ray,
Mr. Debashis Halder ... For the petitioner.

Mr. Sibnath Ganguly,
Mr. Argha Banerjee ... For the opposite parties.

Affidavit-of-service filed on behalf of the petitioner
be kept with the record.

The petitioner has suffered a decree of eviction in
Title Suit No. 144 of 2001; aggrieved thereby, he has
preferred an appeal being *Title Appeal No. 32 of 2024*
pending before the 1st Court of learned Additional
District Judge at Sealdah, District: 24 Parganas
(South).

The Appeal Court below by the order impugned
dated August 03, 2024 has fixed the occupational
charges at the rate of Rs. 8,000/- per month as a
condition for grant of stay of the Execution Case levied
to execute the decree under appeal.

The suit property is one tile-shed room and the
contractual rent of it was Rs. 85/- per month.

Considering the extent of tenancy and the rate of
contractual rent, the rate of occupational charges is
reduced to Rs. 5,000/- per month; other conditions

imposed by the order impugned for grant of such stay shall remain unaltered.

The disposal of the Appeal be expedited: the petitioner shall not be entitled to seek any unnecessary adjournment in the Appeal.

C.O. 3091 of 2024 is disposed of with the above terms without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)